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Craig A. Sumnerfield

Name of applicant, assignee or  
Registered Representative

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Signature

2/23/00

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PATENT  
CASE NO. 5050/167

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REISSUE APPLICATION OF:

PATENTEE: John W. Eaton et al.

PATENT NO.: 5,876,345

ISSUE DATE: March 2, 1999

TITLE: ULTRASONIC CATHETER, SYSTEM AND  
METHOD FOR TWO DIMENSIONAL IMAGING  
OR THREE-DIMENSIONAL RECONSTRUCTION

REISSUE DECLARATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

As one of the below named inventors, I hereby declare that:

1. My residence, post office address and citizenship are as stated below next to my name.
2. I believe I am the original, first and joint inventor of the subject matter which is described and claimed in Patent No. 5,876,345 ('345) granted on March 2, 1999 and in the

foregoing specification and accompanying reissue amendment and for which invention I solicit a reissue patent.

3. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by the accompanying reissue amendment.

4. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

5. I believe the original patent to be partly or wholly inoperative or invalid because of error without any deceptive intent on the part of the applicant. Additionally, I believe the patent to be partly inoperative or invalid by reason of my claiming more or less than I had a right to claim in the patent. The excess and insufficiency of the claims is distinctly specified below:

A. New claims 76-79 were not originally claimed. New claims 76-79 depend from claim 1 and add subject matter further defining the claimed invention. I believe that I claimed more or less than I had a right to claim. Accordingly, the lack of claims directed to the limitations of these new claims constitutes an error by claiming a different scope of claim coverage than I had a right to claim.

The errors cited above for new claims 76-79, including claiming less than I had a right to claim, arose without any deceptive intention on my part.

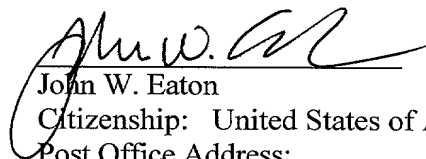
B. New claims 80-88 were not originally claimed. Independent new claim 80 corresponds to claim 1 with "a second ultrasonic transducer array disposed in the distal end region of the body" deleted; --catheter-- was added before "body having a longitudinal"; and --an absolute sensor disposed in the distal end region of the body--was added. I believe that I claimed more or less than I had a right to claim. Accordingly, the lack of claims directed to the limitations of these new claims constitutes an error by claiming more or less than I had a right to claim.

The errors cited above for new claims 80-88, including claiming more or less than I had a right to claim, arose without any deceptive intention on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: November 8, 1999

  
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